



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

1595 Wynkoop Street
DENVER, CO 80202-1129
Phone 800-227-8917
<http://www.epa.gov/region08>


1241128 - R8 SDMS

JAN 17 2012

Ref: 8ENF-RC

Robert F. Stewart
Regional Environmental Officer
Denver Federal Center
P.O. Box 25007 (D-108)
Denver, CO 80225-0007

Re: Notification of Remedial Investigation/Feasibility Study (RI/FS) Negotiations, Libby
Asbestos Site (08-BC), Operable Unit 6 - The Burlington Northern and Santa Fe Railway
Company (OU 6)

Dear Mr. Stewart:

Pursuant to Section 104(b)(2) of CERCLA, this letter is informing you of negotiations concerning actions to be taken in response to a release or threatened release of hazardous substances at the Libby Asbestos Site (Site), located in Libby, Montana. The U.S. Environmental Protection Agency (EPA) will be negotiating an RI/FS at OU 6 of this Site with the Burlington Northern and Santa Fe Railway Company (BNSF). The Remedial Project Manager (RPM) for OU 6 of this Site is Rebecca Thomas. Should you require further technical information about the Site, you may contact Ms. Thomas at 303-312-6552.

The EPA is planning to conduct settlement negotiations with BNSF in hopes of reaching settlement in early 2012. The EPA plans for the settlement to include having BNSF conduct the RI/FS work on property that they currently own or where they have rights of way.

If the Federal Natural Resource Trustees have any natural resource damage claims to assert regarding this Site, please contact Lorraine Ross, Enforcement Attorney for the EPA, at 303-312-6888. Any questions regarding this letter may be addressed to Sharon Abendschan, Enforcement Specialist, at 303-312-6957.

Sincerely,

A handwritten signature in dark ink, appearing to read "Kelcey Land", is written over a circular stamp.

Kelcey Land, Director
RCRA/CERCLA Technical Enforcement Program
Office of Enforcement, Compliance and
Environmental Justice

cc: Lorraine Ross, 8ENF-L
Rebecca Thomas, 8EPR-SR
Sharon Abendschan, 8ENF-RC





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Concurrence Copy

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Sincerely,

Kelcey Yarnough Land, Director
~~RCRA/CERCLA~~ Technical Enforcement Program
Office of Enforcement, Compliance
and Environmental Justice

8ENF-L
Lm Ross
1/4/12

Sharon
8EPR-SR
1/4/12

Sharon
8ENF-RC
1/5/12

Sue Zynard
8ENF-RC
1/5/12
changes made
1/10/12
8ENF-RC

cc: Lorraine Ross, 8ENF-L
Rebecca Thomas, 8EPR-SR
Sharon Abendschan, 8ENF-RC

